

From: [Nightingale, Joshua R.](#)
To: [Trials](#)
Cc: [Devitt, William E.](#); [Khatri, Vishal V.](#); [Messing, Jeffrey S.](#); [Oliver, Justin J.](#); [Signify-IPRs](#); [Carlin, John D.](#)
Subject: IPR2024-00101 (Luminex v. Signify, "336 patent)
Date: Thursday, February 29, 2024 12:43:22 PM

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Dear Board,

Petitioner Luminex International Company Ltd. ("Luminex" or "Petitioner") respectfully seeks leave to file a reply to the POPR in IPR2024-00101 for U.S. Patent No. 10,299,336.

The reply would be limited to seven (7) pages addressing the §§ 315(a) and 315(b) and *Fintiv* issues raised in the POPR. In the interest of fairness and ensuring the Board is fully briefed before reaching a decision, Petitioner will not oppose a sur-reply by Patent Owner of the same length.

There is good cause for granting Petitioner's request. With respect to § 315(a), good cause exists because Petitioner could not reasonably address, predict, or rebut Patent Owner's argument that "Luminex previously filed a civil action challenging the validity of the '336 patent" (POPR at 1) when Petitioner filed no such civil action and instead asserted the invalidity of the '336 patent in the civil action filed by Patent Owner.

With respect to § 315(b), good cause exists because Petitioner could not reasonably address, predict, or rebut Patent Owner's argument that "Menard is a real party in interest (or privy) and was served with Signify's complaint for infringement more than one year before the filing of the Petition." (POPR at 1.) Menard is not a real party in interest or privy, and Petitioner should be given an opportunity to rebut Patent Owner's argument.

With respect to *Fintiv*, good cause exists because Petitioner intends to set forth a stipulation that will minimize or eliminate overlap between this IPR and the district court litigation.

Counsel for Petitioner has conferred with counsel for Patent Owner, who has stated that Patent Owner does not oppose this request.

Petitioner is available for a call with the Board at the Board's convenience.

Respectfully,

Josh Nightingale
Counsel for Petitioner

Joshua R. Nightingale
Partner

IPR2024-00101
Ex. 3001

JONES DAY® - One Firm WorldwideSM

500 Grant Street, Suite 4500

Pittsburgh, PA 15219-2514

Office +1.412.394.7950

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